

ESTTA Tracking number: **ESTTA155191**

Filing date: **08/07/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91175781
Party	Defendant The Madjo Company, LLC
Correspondence Address	MICHAEL H LEVINSON 303 34TH STREET, SUITE 101 VIRGINIA BEACH, VA 23451 UNITED STATES michael@mlevinsonlaw.com
Submission	Motion to Amend Application
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Signature	/MHL/
Date	08/07/2007
Attachments	Motion to Amend Application.pdf ( 4 pages )(95229 bytes )

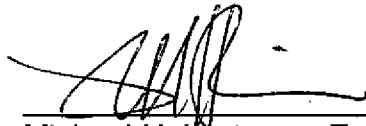
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BARNES & NOBLE, INC.,	:	
BARNES & NOBLE COLLEGE BOOKSELLERS,	:	Opposition No. 91175781
INC. and bamesandnoble.com llc	:	Application Serial No. 78/742,478
	:	Mark: ME BN ME
	:	
Opposers,	:	
	:	
	:	
v.	:	
	:	
	:	
THE MADJO COMPANY, LLC,	:	
	:	
	:	
Applicant.	:	
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Comes Now, The Madjo Company, LLC ("Applicant") and moves to amend Application Serial No. 78/742,478 and, in support of its motion, states the following:

1. Applicant filed an Application for Registration of the mark "ME BN ME" (the Mark) on October 25, 2005 pursuant to Section 1(b) of the Trademark Act, 15 USC 1051, and the U.S. Patent and Trademark Office (USPTO) assigned the application for the Mark "U.S. Trademark Application Serial No. 78/742,478.
2. Applicant thereafter filed an Amendment to Allege Use thereof and on October 31, 2006 the Mark was published for opposition in accordance with Section 12(a) of the Trademark Act of 1946, as amended (the Act).
3. Opposers thereafter timely filed a Notice of Opposition under the provisions of Section 13 of the Act on October 21, 2007.

4. Applicant and Opposers have entered into a Trademark Settlement Agreement, a copy of which is attached hereto as Exhibit A and made a part hereof, the terms of which provided, inter alia, for Applicant to amend its application to alter the Mark from "ME BN ME" to "ME B'N ME".
5. The Applicant has revised the Mark and is using the Mark, as revised, in commerce, as evidenced by Applicant's webpage, a copy of which is attached hereto as Exhibit B.
6. The proposed amendment is a non-material modification of the Mark.
7. The Opposers join in this Motion, as evidenced by the endorsement of Opposers' counsel.

WHEREFORE, the Applicant respectfully moves that Applicant be permitted to amend Application Serial No. 78/742,478 to change the mark from "ME BN ME" to ME B'N ME", that Application Serial No. 78/742,478, as amended, be approved and that the mark therein sought for the services therein specified in International Class 35 be issued.



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Michael H. Levinson, Esq.  
Attorney for Applicant  
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Seen and Agreed:



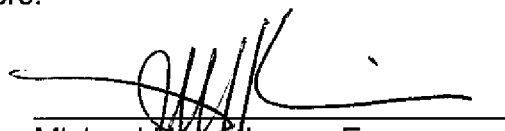
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Todd Braverman, Esq.  
Attorney for Opposers

Date: July 29, 2007

Certificate of Service

I hereby certify that on this 7th day of August, 2007, a true copy of the foregoing Motion to Amend Application of The Madjo Company, LLC was mailed via first-class mail to Todd Braverman, Attorney for Opposers.



Michael H. Levinson, Esq.



**respect and equality**

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## Thank you for visiting our website

The Me B'n Me online catalog specializes in apparel for women (select items up to size 5 XL), teens and toddlers, accessories and our new pet line.

At Me B'n Me, our logo is more than just words, it's our approach to life and acceptance of lifestyles. By wearing the Me B'n Me logo, you'll make the statement that you like who you are, you are comfortable in your own skin, and accept others for who they are.

At Me B'n Me, we're devoted to promoting "respect and equality" and our choice of clothing lines reflect that acceptance. There are several embroidery options, ranging from Rainbow to Tone-on-tone. Browse through our catalog and join our email mailing list to receive special sale promotions and new product information.

We hope you'll visit us often and refer your friends and loved ones.

Until we have completed our entire plans for your online visits, have a look at our great products:

Women's Golf Shirts  
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Teen's apparel

Coming soon: Accessories and Prideful Pets

**available  
embroidery  
options**

**Me B'n Me is a  
woman-owned  
company**

**Me B'n Me is pending  
trademark  
registration**

**An online apparel catalog for women, teens and toddlers**

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